

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

State of Minnesota,
by Michael Campion, its
Commissioner of Public Safety,

File No. CV-08-603 (DWF/AJB)

Plaintiff,

and

Robert J. Bergstrom, Craig A.
Zenobian, Shane M. Steffensen, and
Christopher D. Jacobsen,

Plaintiffs-Intervenors,

**PLAINTIFF'S MOTION FOR
PARTIAL SUMMARY JUDGMENT
AND A PERMANENT INJUNCTION,
OR IN THE ALTERNATIVE
FOR A PRELIMINARY INJUNCTION**

vs.

CMI of Kentucky, Inc.,
a Kentucky corporation,

Defendant.

Plaintiff State of Minnesota moves the Court for partial summary judgment and a permanent injunction, or in the alternative for a preliminary injunction, with respect to Counts III and IV of the Complaint. This motion is made pursuant to Federal Rules of Civil Procedure 56 and 65, and is based upon the files, records, pleadings in the case, arguments of counsel, and the memoranda of law to be filed in accordance with the Amended Pretrial Scheduling Order dated March 5, 2009.

Dated: March 13, 2009

Respectfully submitted,

LORI SWANSON
Attorney General
State of Minnesota

s/ **Emerald Gratz**

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